

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WISCONSIN**

---

FREEDOM FROM RELIGION  
FOUNDATION, INC.,  
and TRIANGLE FFRF,

Plaintiffs,

v.

Case No. 12 CV 0946-bbc

DANIEL WERFEL, ACTING  
COMMISSIONER OF THE  
INTERNAL REVENUE SERVICE,

Defendant.

---

**UNOPPOSED MOTION TO EXTEND TIME FOR PLAINTIFFS TO RESPOND TO  
DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

---

The Plaintiffs respectfully request that this Court extend the time to respond to the Defendant's Motion for Summary Judgment, and in support thereof, they submit the following:

1. Defendant filed a Motion for Summary Judgment in this case on September 8, 2014.
2. The current due date of the Plaintiffs' response is September 29, 2014, and request is made to extend this date 4 days, to October 3, 2014.
3. Counsel principally responsible for preparing the Plaintiffs' response has been extensively engaged in numerous time consuming matters since the filing of Defendant's Motion for Summary Judgment. On September 9, 2014, counsel participated in oral argument in the Seventh Circuit Court of Appeals in Chicago in Appeal No. 14-1152. Counsel also prepared and conducted deposition in Western District of Wisconsin Case No. 13-CV-601, including on September 22, 2014. Counsel also is conducting depositions in a case involving patent infringement matters in Milwaukee County Circuit Court Case No. 11-CV-414, including depositions on September 23-24, 2014. In preparation for these depositions, counsel received last Thursday,

September 18, 2014, more than 5,500 pages of new documents that had to be reviewed. Counsel also has been extensively involved in preparation for and participation in a temporary restraining order hearing, pending in Dane County Circuit Court Case No. 14-CV-207. In that matter, pre-hearing briefing was conducted and a day-long evidentiary hearing was conducted on September 15, 2014, with continued hearing on the afternoon of September 19, 2014. Finally, counsel also is preparing a reply brief due in the Wisconsin Court of Appeals on September 29, 2014, in Appeal No. 2014AP000736.

4. In light of the important constitutional issues raised by the pending Motion for Summary Judgment, as well as the commitment of time to the above referenced matters, the Plaintiffs request additional time to prepare and file their response to the Motion for Summary Judgment.

5. Counsel for the Defendant does not oppose this request by the Plaintiffs to file their response to summary judgment on or before October 3, 2014, with Defendant's reply due on or before October 15, 2014.

For this good cause shown, the Plaintiffs request that this Court extend the time allowed for their response to the Defendant's Motion for Summary Judgment until, and including, October 3, 2014, with Defendant's reply extended to, and including, October 15, 2014.

Dated this 23rd of September, 2014.

**BOARDMAN & CLARK LLP**

By:

*/s/ Richard L. Bolton*

---

Richard L. Bolton,  
Wisconsin State Bar No. 1012552  
*rbolton@boardmanclark.com*  
Boardman and Clark, LLP  
1 S. Pinckney St., Ste 410  
Madison, Wisconsin 53703-4256  
Telephone: 608-257-9521  
Facsimile: 608-283-1709

Notice of Electronic Filing and Service

I hereby certify that on September 23, 2014, this document was filed electronically in accordance with the ECF procedures of the United States District Court, Western District of Wisconsin, under Rule 5(d)(1), Federal Rules of Civil Procedure. All parties who are represented and have consented to service of electronically filed documents are served upon receipt of the NEF from the electronic filing system.

To the best of my knowledge, there are no parties in this case that require service by means other than electronic service using the Court's NEF. The original document on file contains a valid original signature.

F:\DOCS\WD\26318\25\A1990746.DOCX